

with significant immigration reform. The promise was exactly the same: We are going to get serious. We are going to get real with enforcement. We just need this amnesty one time—never again—to help solve the problem.

Well, what happened? That bill passed into law. The real enforcement never happened to an adequate extent, but, of course, the amnesty provision went into effect immediately. What happens when you combine inadequate enforcement with real amnesty? What you do is make the problem worse and not better, encourage more illegals to come into the country.

The proof of the pudding is in the eating. In this case it is in the numbers. What was then, in 1986, a problem of 3 million illegal aliens in this country, is now a problem of 12 or 13 million or more. So what did that one-time solution do? It quadrupled the problem. It proved not to be a solution at all.

I suggest we do something that some might consider novel around here. Let's listen to the common sense and wisdom of the American people. Let's say no to amnesty, as we did in June by defeating the immigration bill sponsored by Senator KENNEDY and others. Let's say yes to real enforcement both at the border and in the workplace. And let's offer that message again by defeating this very ill-conceived Durbin amendment.

To help defeat this amendment, I will be offering a second-degree amendment to the Durbin amendment. My second-degree amendment is very simple. It simply says nothing in the Durbin amendment goes into effect, goes into law, until the US-VISIT Program is fully operational. The US-VISIT Program is something that was first proposed in 1996, an entry/exit system so we know who is coming into the country, who is leaving the country—something very basic, very necessary in terms of enforcement.

Although it was proposed in 1996, it has never come close to being fully operational because Congress, folks in Washington, this administration and previous administrations, have never had the political will to get it done.

So, again, my second-degree amendment to the Durbin DREAM Act amendment is very simple. That cannot go into effect until the US-VISIT system is fully operational at our borders. I will be proposing that amendment assuming the Durbin amendment is, in fact, called up for consideration on the Senate floor.

Mr. President, with that, I yield back my time and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### LEGISLATIVE QUAGMIRE

Mr. NELSON of Florida. Mr. President, I wish to speak about Iraq and about this amendatory process and this legislative quagmire in which we find ourselves.

The American people are having difficulty understanding why the Senate can't get anything done. It is because we have a rule that says we can't pass something here without 60 votes out of 100 Senators. We need 60 votes to close off debate on a motion for cloture. That is a fancy term for closing the debate. We have to have 60 votes. With a Senate that is so partisan, and so split ideologically, it is hard to get those 60 votes. We see this on the amendments that have already attempted to be brought, either on a motion just to proceed, which takes 60 votes, or a motion to close off debate to get to the subject matter of the amendment. We can't get the votes. Thus, the American people are increasingly frustrated, as are the Senators, that we can't get more unanimity when, in fact, most of us know in this country what has to be done.

Now, what is that? What needs to be done to make the best of a very bad situation? Now, I am not talking about why we got there; that is a debate in itself which we have had innumerable times here on the floor. We are where we are. We are there.

What is the goal? The goal in the best interests of the United States is to stabilize Iraq, but there is not a soul who has testified in any of these innumerable hearings who says that you can get to that goal of stability in Iraq without political reconciliation between the Sunnis and the Shiites. The difficulty there is they have been at it for 1,327 years, ever since the Battle of Karbala in 680 A.D. It is very difficult for them, with all of that history, all of that hatred, to be able to reconcile into some kind of stability so that a government can, in fact, function in Iraq.

So given those circumstances, what is the very best we can do? I can't tell my colleagues that I have the complete answer, but the best answer I have is the plan that was laid out unanimously last December by the Iraq Study Commission consisting of very prominent people who know the defense business and who know the foreign relations business. They unanimously recommended a gradual withdrawal and to keep enough U.S. troops there to do three things: to train the Iraqi Army, to go after al-Qaida, and to provide force protection for the Americans who are there and, at the same time, they said, have a very aggressive diplomatic effort with the other nations of the

world, and especially with the nations in the region, including Syria and Iran, to try to get a political settlement and then to have that political settlement stick.

Now, what should that political settlement be? Well, I am not sure anybody within the U.S. Government can tell us, but the best plan I know of is going to be offered by the Senator from Delaware, Mr. BIDEN, which is to have a shared power arrangement under the Iraqi Constitution of an autonomous region—three in Iraq—with the Kurds in the north, Sunnis in the center, and Shiites in the south. Now, no one has been able to come up with a better idea as to how we can have a political solution where we ultimately get to the goal of political stability with reconciliation between Sunnis and Shiites.

Part of it is functioning right now in the north of Iraq. The Kurds virtually have their own self-government. Isn't it interesting that not one American troop has been killed in that region called Kurdistan? They have a measure of stability there. They have their own self-government. Isn't it interesting—in an area almost exclusively Sunnis in western Iraq called Al Anbar Province is where our surge with the marines has, in fact, helped because it has turned the Sunni tribal chieftains into helping us to go after al-Qaida. We have had success.

Where we have not had success with the surge is in the center part, in the Baghdad region, where the Sunnis and the Shiites are going at each other. Thus, what is happening is they are voting with their feet as they are voluntarily separating, since they can't get along.

I think a solution such as Senator BIDEN's, which he will offer as an amendment and which I will support, is the best that has come up where there would be three autonomous regions. Then there would be the national government that would represent the country in its foreign relations but at the same time would have the ability, under an Iraq oil law, to distribute the oil revenues according to the percentage of the population. I don't know anybody who has a better plan. If they do, I want to hear it.

But what we need to do is to come together, Republicans and Democrats together, and get over this threshold that has us in a political and legislative and procedural straitjacket, that we can't get anything done in this Senate because we can't get 60 votes because we can't get Democrats and Republicans together to start charting the course. It is clear that the White House isn't going to do it. They have their mindset and what they want to do, but that is not ultimately going to get us to the solution. Even General Petraeus has recommended—or has testified that a year from now, we are still likely to have 140,000 troops there, with no plan of any of this political success, even though everybody who testified says

you have to get political reconciliation in order to have that political success.

Come on, Democratic Senators. Come on, Republican Senators. Let's get together. The amendment from Senator BIDEN is one we can get together on.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

#### CHILDREN'S HEALTH CARE

Ms. STABENOW. Mr. President, I know we are in the middle of working on a very important bill, but I do wish to take a moment to respond to a press conference the President just held where he spoke about his intent to veto the bipartisan children's health care bill we will be sending to him.

It is very important we indicate that just because the President has a bully pulpit does not mean he is accurate or right. It does not matter how much spin they want to put on this situation, the reality is the President of the United States gave us a budget earlier this year—and the Budget Committee looked at this very carefully—this President proposed a budget that would cut, according to CBO, 1.6 million children from health care, current children. So when I hear the President at a press conference talking about the fact that he wants to make sure children are covered with health insurance, actions speak louder than words.

The President asked us to put forward a budget that would cut 1.6 million children of working families who currently have health insurance from their health care. We rejected that request. We looked at the fact that there are from 6 to 7 million children who currently qualify to receive children's health insurance. Again, these are working families, folks who do not qualify for low-income help. They are moms and dads working one, two, maybe three minimum wage jobs, who are desperately concerned that at least their children have the health care they need.

I am very proud the Senate came together and in a true bipartisan effort developed a health care program, an expansion that will not only make sure every child who currently has health insurance will keep that health care, but that 4 million more children will be able to have health care in this country. Their moms and dads will not have to go to bed at night praying: Please don't let the kids get sick.

Sixty-eight Members of this Senate, not counting the fact that Senator JOHNSON who is now back with us would make that 69 Members, voted together in true bipartisanship to say

that one of the basic values of this country is to make sure the children of working families have the opportunity to get the health care they need. It is pretty basic. This is a matter of values and priorities.

Later today, in a few moments, I am going to be joining with Families USA to announce their new study that says that 90 million Americans sometime in the last 2 years did not have health insurance. One out of three Americans sometime in the last 2 years did not have health insurance. This is a national tragedy. And for us not to at least focus on children, at least say our value as Americans is to make sure that children of low-income working families get the basic health care they need, to me is something I find incredibly important and appalling, quite frankly, that the President of the United States says on the one hand he will veto a bipartisan bill to expand health care coverage to children of working families and then have—I hate to say what I was going to say—the amazing position to come to us shortly and to ask somewhere up to another \$200 billion for the war in Iraq that the majority of Americans want to see changed.

Mr. DURBIN. Will the Senator yield for a question?

Ms. STABENOW. I would be happy to.

Mr. DURBIN. First, Mr. President, I wish to thank the Senator from Michigan for making this statement on the floor of the Senate. I listened to the news reports this morning and heard that some from the White House said they did not believe we should be helping to pay for health insurance for families who are well off, such as families making \$60,000 a year. That was the reference that was made.

The Senator from Michigan, I am sure, is aware that health insurance premiums—assuming the whole family is healthy—could, in some circumstances, cost a family thousands of dollars each year. If their gross income is \$60,000, and they are trying to get by with \$3,000 or \$4,000 a month, an \$800 health insurance bill for a healthy family, let alone \$1,200 or more for a family with a sick child, it is hard for me to understand how the White House could say a family making \$60,000 a year is so well off they would not need help in providing health insurance to their children.

I suggest to the Senator from Michigan that the President's position here seems to me to be inconsistent, in that he is willing to provide tax cuts for the wealthiest people in America and then is saying folks who make \$60,000 a year are well off and don't need a helping hand when it comes to their children's health insurance. So in addition to the cost of the war in Iraq, I ask the Senator from Michigan, isn't it a little difficult to understand the President's position of giving tax breaks to the wealthy and not giving working families making \$60,000 a year a helping

hand with their health insurance for kids?

Ms. STABENOW. Well, my distinguished colleague is absolutely correct, and I thank him for his comments.

This is truly a question of values and priorities. That is what we are about in this business, in this Chamber, when we make decisions. The President has said the wealthiest among us are much more important than moms and dads, most of whom, by the way, are making much less than what we are talking about or the numbers the White House has put out. Those families ought to be able to, at a minimum, know that their children have health insurance when they get sick.

But what adds insult to injury, I believe, for the American people, is to know that on top of that—on top of tax priorities for the wealthy versus families and their health care—is the fact that on the one hand we have put together something that is responsible, bipartisan, and fully paid for within the budget, and yet the President is going to be sending us a request for anywhere from \$150 billion to \$200 billion more for a war in Iraq that the American people want to change, a policy that is not supported by the majority of Americans. To add insult to injury, none of it is paid for. It will go directly on to the national debt.

So this is a question of values and priorities. It doesn't matter, again as I said when I began, how much the President wants to spin it. We all know he has a very big megaphone, a very big bully pulpit. But that doesn't mean he is right. The spin machine cannot outweigh what is going on here in terms of American families. We have something that we have done together on a bipartisan basis. We should all be very proud of it. A basic for every single one of our families is the ability to know they can care for their children and they will have the health care they need.

Far too many families today don't get help because they do not have a low enough income. They are working and putting it together. Maybe it is a single mom, maybe it is a single dad, maybe it is mom and dad. They are putting together the income in a way where they can pay all the increased costs that everybody is having to deal with—the gas prices that are going up and the possibility of losing jobs. Certainly in my State wages are going down, and health care costs going up—all of the things that are squeezing our working families. But we are saying, you know what, one of the things we can do together, and we have already done it here and we are going to be sending it to the President, is to allow for 4 million more children to get the health care they need for those moms and dads who are working but not making enough to be able to pay for health insurance.

We, as a country, ought to be able to say we at least want the children to receive the health insurance they need. Health care, in my opinion, should be a